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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 NATIONSTAR MORTGAGE, LLC,

13 Plaintiff,

14 vs.

15 SAHARA SUNRISE HOMEOWNERS
16 ASSOCIATION; RIVER GLIDER AVENUE
TRUST; DOE INDIVIDUALS I-X, inclusive,
17 and ROE CORPORATIONS I-X, inclusive,

18 Defendants.

Case No.: 2:15-cv-01597-MMD-NJK

JOINT MOTION TO LIFT STAY

19 Plaintiff/Counter-defendant Nationstar Mortgage LLC (**Nationstar**) and Defendants River
20 Glider Avenue Trust (**River Glider**) and Sahara Sunrise Homeowners' Association (**Sahara** or
21 **HOA**), (collectively, the **parties**) hereby submit the following joint motion to lift the stay in this
22 matter:

23 1. The Court administratively stayed this case pending relief from the bankruptcy action
24 involving Alessi & Koenig, LLC. (See ECF No. 46)

25 ...

26 ...

2. On April 24, 2017, the bankruptcy court granted relief, ordering "that the automatic stay under 11 U.S.C. §362 is hereby terminated for all purposes with the exception that collection of a judgment obtained against the Debtor may only be pursued against the Debtor in this Court." (Exhibit A, Order Granting in Part and Denying in Part Motion for Order Authorizing Procedures for: 1) Disposition of Excess Proceeds, 2) Review of Debtor's Books and Records, and 3) Relief from the Automatic Stay. Accordingly, the basis for the initial stay entered by the Court has expired.

3. On June 26, 2017, the United States Supreme Court in *Bourne Valley Court Tr. v. Wells Fargo Bank, N.A.*, 832 F.3d 1154, 1159–60 (9th Cir. 2016) (holding NRS 116 is facially unconstitutional), denied certiorari. As cert has been denied, the parties hereby move the Court lift the litigation stay and provide the parties 30 days to refile all motions denied by the stays.

Dated this July, 31, 2017

AKERMAN LLP

/s/ Jesse A. Ransom, Esq.

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Dated: August 2, 2017

IT IS SO ORDERED.



U.S. District Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of Akerman LLP, and that on the 1st day of August, 2017, I caused to be served a true and correct copy of the foregoing **JOINT MOTION TO LIFT STAY**, in the following manner:

(ELECTRONIC SERVICE) Pursuant to FRCP 5(b), the above referenced document was electronically filed on the date hereof with the Clerk of the Court for the United States District Court by using the Court's CM/ECF system and served through the Court's Notice of electronic filing system automatically generated to those parties registered on the Court's Master E-Service List as follows:

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